

**New Source Review (NSR) Program Review Questionnaire**  
**May 14, 2003**

**Note: This questionnaire does not address implementation of changes made to the major NSR rules in EPA's rulemaking on December 31, 2002.**

**I. Program Requirements Common to Both Prevention of Significant Deterioration (PSD) and Nonattainment NSR**

**A. Netting**

Y ☒ N ☐ 1. Is netting approved in your NSR SIP for determining whether modifications at major stationary sources are subject to major NSR (PSD or nonattainment NSR as applicable)? If no, please explain.

Y ☒ **PSD**

N ☒ **NANSR** 2. Is your contemporaneous look-back period five years, exactly the same as in the Federal PSD regulations at 40 CFR 52.21. If not, what is the contemporaneous time period for netting in your SIP?

Three different contemporaneous period; 1) PSD, 2)NAA severe ozone 182 c 6; 3) SIP 5 years from complete application. All in the SIP.

**NA NSR = 5 years from submittal of complete permit  
VOM = § 182 (c)(6) of the CAA in serious & severe**

Y ☒ N ☐ 3. For determining the baseline from which emission reductions are calculated do you require the applicant to submit the actual emissions from the units along with any permit limits that apply?

\*Check the SIP. IL match 51.166 except for 182 ozone. Definition in 166 now an applicability determination. Redefining the contemporaneous time period used discretion.

Y ☐ N ☒ 4. Do you allow an applicant to receive emission reduction netting credit for reducing allowable emissions instead of actual emissions? If yes, please explain.

Y ☐ N ☒ 5. Do you allow an applicant to receive emission reduction credit for reducing any portion of actual emissions that resulted because the source was operating out of compliance?

- Y ☐ N ☒ 6. Do you allow an applicant to receive emission reduction credit for an emissions unit that has not been constructed or operated?
- Y ☒ N ☐ 7. Are emissions reductions to meet MACT requirements eligible for netting credits? If yes, under what conditions? (See EPA's November 12, 1997 memo from John Seitz entitled "Crediting of Maximum Achievable Control Technology (MACT) Emission Reductions for New Source Review (NSR) Netting and Offsets".)

**As allowed by USEPA guidance/policy. No example, need to look for an example.**

- Y ☒ N ☐ 8. When any emissions decreases are claimed as part of a proposed modification, do you require that all stationary, source-wide, creditable and contemporaneous emissions increases and decreases of the pollutant be included in the major NSR applicability determination?

Corn Products, Bedford Park boiler project as an example.

9. To avoid "double counting" of emissions reductions what process do you use to determine if emissions reductions considered for netting have already been relied on in issuing a major NSR permit for the source?

**Case-by-case review.** This does not occur often. If it is a PSD permit, then there is no need to consider reductions in the future.

Does not occur with any frequency.

- Y ☐ N ☒ 10. Do you have a process to track projects that use credits to net out of major NSR? If yes, please explain.
- Y ☒ N ☐ 11. Do you require that emissions reductions (e.g., reductions from unit shutdowns) must be enforceable to be creditable for netting? By issuing an IEPA construction permit, the shutdown is considered permanent. The credit for lowering emissions is preserved in the permit as an enforceable condition.

In the construction permit it will state that it will be a

permanent shutdown. Goal is to give credit for only the enforceable reduction. Analysis is preserved in the permit as an enforceable condition. IEPA review past permit actions for emission reductions.

- Y ☐ N ☒ 12. Have you had public concerns regarding the netting analysis and procedures used for any issued permits that avoided major NSR? If yes, please describe.  
**Not particularly. Use Corn Products as an example. Received comments on Corn Products from Chicago Legal Clinic.**

- Y ☐ N ☒ 13. Do you allow interpollutant trading when netting, e.g., can a source use NOx or PM credits for netting out of VOC increases? If yes, please explain.

14. What process do you have to verify that a source's emissions reductions considered for netting, including emissions reductions that may have been "banked," are not already used by the source, or another source, as nonattainment NSR offsets? Please describe.

**Case-by-case review**

Most of the offsets credits come from 1 or 2 or 3 sources. It is clear from those sources that they are shut downs, have not been involved in netting. Most come from a few sources that have not been part of a netting exercise done previously. IEPA reviews past permit actions to see if credits had been used.

**B. Routine Maintenance, Repair, and Replacement (RMRR)**

- Y ☒ N ☐ 1. Do you have knowledge of the EPA letter dated May 23, 2000, to Henry Nickel of Hunton & Williams concerning Detroit Edison and the Wisconsin Electric Power Company (WEPCO) case RMRR documents?
2. What other documents do you rely upon when making RMRR exemption determinations?

**Other USEPA guidance. Use TTN or Region 7 website. Regional letters.**

- Y ☐ N ☒ 3. Do you have a formal protocol for making RMRR exemption determinations? If yes, describe the protocol.

If it is unclear on the determination would then contact EPA

about the determination. Notify the company of the 4 factors test and EPA review.

4. Approximately how many formal RMRR exemption determinations have you made in the last five years? Using any one such determination as an example, describe the example, state the conclusion you reached, and discuss how you reached the conclusion.

**Increasing over time: 2000  $\approx$  zero**

**2004  $\approx$  6**

projection for 2004 are 6 determination. PPG as an example. Referred to EPA and determined to be a modification. The modification was exempt under the NSPS and the question was whether the exemption would carry over to the NSR realm. Glass furnace rebricking. ADM boiler tube replacement. Dynegy Wood River oil burner replacement. Dominion Kincaid replacement of electrical boards in the ESP, no longer being manufactured. No significant increase in emissions.

- Y ☒ N ☐ 5. Do you keep documentation of formal RMRR exemption determinations?

As part of the permit files of correspondence being exchanged or management correspondence file.

Institutional memory to recall specific cases.

- Y ☒ N ☐ 6. Do you restrict the RMRR exemption to units being modified and exclude replacement of entire units from RMRR exemption consideration?

State NAA NSR deviate from 166, do not allow an exemption for replacement, replacement misunderstood by sources. Definition of the unit. Check site 201.20... in SIP for exemption of the rule.

- Y ☒ N ☐ 7. Regarding the "purpose" evaluation factor in an RMRR exemption evaluation, do you exclude projects from the RMRR exemption that result in an increase in production capacity?

8. Regarding the "frequency" evaluation factor in an RMRR exemption evaluation, do you consider just the history of the specific unit(s) in question, just the history of other similar units at the same facility, just the history of similar units at other facilities in the same industry, or some combination of these histories?

Glass furnace replacement of refractory bricks done every 10-12 years.

9. Regarding the "cost" evaluation factor in an RMRR

exemption evaluation, what procedure do you follow to take cost into account?

**Case-by-case. Look at specific industry.**

- Y ☒ N ☐ 10. Do you provide RMRR exemption evaluation training to NSR permitting staff employees (other than on-the-job training)? If yes, describe the nature of the training provided.

**Ease case discussed at unit meetings. Construction unit program has meeting every other week to go over permits of interest to other permit writers. RMRR determinations would be of interest to other writers. Permit staff would look to TTN or Region 7 database for RMRR determinations.**

- Y ☐ N ☒ 11. Do you provide an information outreach program on RMRR exemption evaluations for owners of regulated sources? If yes, how frequently do you provide such information and how do you provide it?

**C. Synthetic Minor Limits (straight synthetic minor permits, not major sources with synthetic minor projects.)**

- Y ☐ N ☐ 1. Do you keep a list of synthetic minor sources (i.e., sources that would otherwise be major for NSR but are considered minor because of emissions limits or other limiting conditions in their permits) that is available for review by the public and EPA? If yes, please explain how.

Conditional no. Keep list of permits that are issued. List of all FESOP sources. List of all construction permits for the past 1 1/2.

**Information available from public notice record**

2. Describe your formal process for establishing or designating a synthetic minor source.

**None. Inherent in permit.** Would be a FESOP source in NAA that had to take limits on VOM emissions. If emissions limits are greater than 80% of the major source threshold, then would identify in the permit that these permits would avoid the applicable rule. 80% of controlled or uncontrolled emissions.

- Y ☒ N ☐ 3. For synthetic minor sources do your permits include enforceable limits to keep the sources minor?

**Production limit corresponding to emission limit, or emission limit with record keeping and compliance to keep under limit.**

4. How is compliance with the synthetic minor limits

tracked over time? Please explain.

**Case-by-case per Compliance Section & Field**

Not by the permit section. Annual emission reported database can be checked.

- Y ☒ N ☐ 5. Are you satisfied that your tracking activities are sufficient to ensure that sources getting synthetic minor permits to avoid major NSR review are not actually operating above the applicable major source threshold?

**Violations are identified and addressed**

Concrete batch plant, grain elevators have adjusted emission factors.

- Y ☐ N ☐ 6. Do you include in your synthetic minor permits conditions requiring sources to notify you if and when the major source threshold is reached?

**Any deviation is to be reported, Yes we do. Not when major source threshold is reached. Required to report excursions, would tell you when the major source threshold is reached.**

- Y ☐ N ☒ 7. Do you perform(or require) modeling for sources seeking synthetic minor permits to determine impacts on PSD increments?

Typically no, but did for 1. Veterans Administration facility in North Chicago. In response to public comment, did the modeling.

- Y ☐ N ☒ 8. Do you consider visibility issues in Class I areas, if applicable, when reviewing synthetic minor applications?

No Class I areas in IL.

**D. Pollution Control Projects (PCP) Exclusion**

- Y ☒ N ☐ 1. Do you have standard permitting procedures or rules that allow for certain changes at non-utility emissions units to be designated as PCP, which are excluded from major NSR?

Use EPA NSR reform rules. Prior to that would use the NSPS exemption in a PSD permit. Since reform they have used PCP, check with Bob Smet for examples, has 2 working on now. After NSR Reform, IEPA uses the rules. Has been applied to the natural gas compressor stations. Reduce NOx but increase CO to over 100 tons. Make the source do modeling.

2. How many PCP exclusions have been granted for "feed" or "fuel" switches?

**None, usually a process or control change.**

3. What process do you use to determine if the project is "environmentally beneficial" and not just "economically efficient"?

**Case-by-case, ask Bob Smet about this. Haven't gone outside of increase in CO to push envelope. Nothing beyond the list of accepted activities.**

4. How are the collateral emission increases evaluated? Do you require a modeling analysis to demonstrate insignificant impacts from emissions increases?

**Case-by-case. Modeling has been required. Hold company to future projections.**

5. How do you handle collateral increases in hazardous air pollutants (HAP)?

**Addressed with NSR pollutants. Look at what is proposed in the application. It would depend on the location and the type of HAP.**

- Y X ☐ N 6. Are the emission reduction credits from PCP available for netting or NSR offsets? Please explain.

Check the rules. Clean units don't get credit. Wouldn't let that slip through.

7. Which add-on control devices are most frequently involved in PCP exclusion requests?

**Engine combustion system**

8. Which types of industrial sources typically request PCP exclusions from major NSR?

compression stations.

- Y ☐ N ☒ 9. Does your NSR SIP include the PCP exclusion for electric utility steam generating units (often referred to as the WEPCO exclusion)?

**(NA NSR) Pt 203**

#### **E. Fugitive Emissions**

1. Please provide your regulatory definition of "fugitive" emissions for major NSR applicability purposes.

### Federal definition

- Y ☒ N ☐ 2. Do you make a distinction between "fugitive" emissions and "uncontrolled" emissions? If so, please explain.

**Uncontrolled emissions are not necessarily fugitive emissions. Refinery as a example of source with uncontrolled emissions that are not necessarily fugitive.**

- Y ☒ N ☐ 3. Do you include fugitive emissions in major NSR applicability determinations for new sources? For modified sources? Please explain.

**As required by rule. If 1 of 28 source category then include.**

- Y ☒ N ☐ 4. Do you allow major sources to use reductions in fugitive emissions for netting purposes? If so, please explain, and describe how you determine the fugitive emissions "baseline" used for netting.

**But discouraged - best if fugitive for fugitive**

5. Please provide a description of your guidelines or calculation methodology used to quantify fugitive emissions.

**USEPA methodology** actual emissions 2 year period. Concern in steel mills, track before Granite City Steel, compensate by making improvements elsewhere or mitigating those particular points, increased truck traffic slagging going to and fro, over 5 years ago, road way emissions. AP 42, EPA emission factors, other refined fugitive estimates for certain areas. Starting from AP-42...

- Y ☒ N ☐ 6. Do your permits contain conditions for specific emission limits or control methods/work practice standards for fugitive emissions consistent with requirements for BACT?

### F. Modeling

- Y ☒ N ☐ 1. Do you follow EPA's modeling guidelines in 40 CFR Part 51 Appendix W?

- Y ☒ N ☐ 2. Are deviations from the modeling guidelines in



Appendix W subjected to public comment and submitted to the regional EPA office for approval?

- Y ☐ N ☐ 3. Are minor permit actions (i.e., proposed new and modified minor sources), evaluated to determine if modeling for PSD increments is needed? Under what circumstances is increment modeling triggered for these minor permit actions?

**All minor sources are not modeled. Public interest contaminants of concerns. Health concerns beyond increments check with Brad. NSSD modeled because of public concerns.**

- Y ☒ N ☐ 4. Do you ask applicants to submit a modeling protocol for approval prior to submitting modeling? Applicant would know ahead of time if modeling is necessary.

- Y ☒ N ☐ 5. Is the protocol provided to other interested organizations (e.g., EPA, Federal Land Manager)?  
**If requested by interested organizations.**

- Y ☒ N ☐ 6. Is the effect of downwash modeled if stacks are less than good engineering practice (GEP)?

- Y ☒ N ☐ 7. Are modeling analyses available for public review?  
**Through the FOIA process**

- Y ☒ N ☐ 8. Do you review modeling submittals to determine if option switches are correct?

9. When off-site meteorological data are used what years are typically used?

**The five most recent years of met data available from the US Weather service.**

10. How do you train your modeling staff?

**New staff gets sent to ISC training, provided by a consultant. Additional training is provided as opportunities are presented. Robb Kaleel is the modeling IEPA expert, provide mentoring, sign off on modeling.**

- Y ☒ N ☐ 11. Do you follow The Air Quality Analysis, Additional Impacts Analysis, and Class I Area Impact Analysis guidance provided in the New Source Review Workshop Manual (Draft October 1990)?

12. For cumulative national ambient air quality standards (NAAQS) and PSD increment compliance assessment:

a. How are the appropriate emission inventories of other sources developed?

**Emission inventories are stripped from a statewide database, then cross-checked against an independent database of known errors.**

b. What are the reasons used to identify and/or eliminate emission sources?

**Elimination of sources is allowed through the 10 Q/D method**

c. How are PSD increment consuming/expanding sources identified and tracked?

**A computerized database of baseline trigger dates and PSD sources on a county basis is maintained.**

1. Are mobile sources modeled for increment compliance?

**No, will be addressed by ambient monitoring data used for background emissions.**

13. What is the basis (e.g., allowable, maximum or average actual short-term emissions, last two year period, etc.) of the emission rates provided in the NAAQS and PSD increment consuming inventories of other sources?

**Allowable, except in special circumstances.**

**Peabody Generating Station was a special circumstance.**

14. How do you ensure that the controlling concentrations reported by the applicant for each pollutant and averaging period were appropriately determined?

**By selectively replicating key modeling runs at the discretion of the state.** All modeling runs performed by the applicant are also submitted to IEPA.

Y ☒ N ☐ 15. Are the impact modeling analyses reviewed to ensure that they are accurate and complete, and that appropriate modeling procedures (e.g., modeled to 100-m resolution, fence line and not

property line, nearest modeled receptors, etc.)  
were followed?

Y ☐ N ☒ 16. Is complex terrain an issue in your region? What modeling procedures are used to address impacts in complex terrain?

Y ☒ N ☐ 17. Are pollutants without NAAQS and/or PSD increments addressed in the air quality impact assessments? What threshold concentrations (e.g., acceptable ambient concentrations) are used to evaluate impacts?

**HAPs are evaluated and impacts are provided to risk assessors**

Y ☒ N ☐ 18. Do you have written agency-specific air quality modeling guidance for use by applicants? If yes, has the guidance been provided to other concerned organizations (e.g., regional EPA, appropriate FLM, etc.) for review and comment? Is your guidance available on the internet?

**Yes as part of air modeling guidance by IEPA, no, and yes. For major sources suggest to sources to have a meeting.**

19. How do you determine the appropriateness of proposed meteorological data for an application? When are "on-site" meteorological data required for an application? Are "on-site" meteorological data validated and accepted if recovery is less than 90 percent?

What type of cases would the state look for onsite data, very high impacts, congested area where onsite data would be used to look at impacts on the area.

20. When an applicant's air quality modeling reveals NAAQS and/or PSD increment violations, what is required to grant the permit and how are the violations resolved?

**If the applicants impact does not significantly contribute to NAAQS or PSD increment violation, the permit can still be granted. The follow-up involves resolving default stack parameter, stacks at a facility all located at the facility centroid, and the like. Use Midwest Grain, located next to Williams Ethanol, as an example. Did not want to install a monitor, used modeling to show a violation did not occur.**

**Grain dyers did not meet the PSD permit limits.**

- Y ☒ N ☐ 21. Do your regulations include the federal definition of ambient air? If no, what is your definition of ambient air?
22. Discuss your procedures for modeling "hot spots," including minimum receptor spacing?  
**Fenceline receptors with 100 m spacing are required, and 100 m spacing is required to resolve any peaks discovered withing corser grade.**
23. How do you determine if background air quality data are representative?  
**Use representative or something worse than a representative site. Use something that represents the site with a conservative background.**
24. Do you use the same NAD for stack, receptor, and building UTM coordinates?  
**Yes**

#### **G. Stationary Source Determinations**

- Y ☐ N ☒ 1. Do your SIP-approved rules define stationary source differently than 40 CFR 51.165 or 51.166? If yes, please explain.  
**Didn't check. When did USEPA last tinker withthe Part 51 definition?**
- Y ☒ N ☐ 2. When determining if emissions units are contiguous or adjacent, do you assess whether emissions units under common ownership or control may be a single stationary source regardless of the distance between the emissions units? Please explain.  
**Talk about with the group. Tendency to use specific distance, e.g., 2 miles, but recognized that not binding. Have used 20 miles, not open and shut, use 2 miles as a red flag. If for instance you have 5 miles, look into the source processes.**
- Y ☒ N ☐ 3. Do you assess facilities' financial, personnel, and contractual relationships to determine common

ownership or control?

- Y ☒ N ☐ 4. Do you assess whether sources with different first two-digit SIC codes (i.e., emissions units not in the same industrial grouping) may qualify as separate stationary sources?

#### H. Debottlenecking and Increased Utilization

- Y ☒ N ☐ 1. When determining if proposed modifications are subject to major NSR, do you include emissions increases from existing emissions units that are not physically modified (i.e., units that will be debottlenecked or have increased utilization such as boilers)?  
Refineries the issue has come up when they make changes. Exxon Mobil Cononco Philips low sulfur fuel projects an example of this.

2. What method is used to determine the emissions increase from these emissions units? What EPA guidance do you consider for this issue?

**Available USEPA guidance.** What is available off TTN Region 7 databases.

- Y ☒ N ☐ 3. Do you train your permitting staff to include such emissions increases when determining if a modification is major for NSR?

When the issue comes up, it is mentioned in specific training, and a project basis.

#### I. Relaxation of Limits Taken To Avoid Major NSR

1. Describe your knowledge of the "relaxation" regulatory provisions of 40 CFR 51.165(a)(5)(ii), 51.166(r)(2), and 52.21(r)(4).

**"Absolute".** IEPA focus to avoid backsliding of commitment to limits.

2. What types of changes do you consider potentially subject to relaxation assessments?

**Any plan to renege on "commitments" made for a past source or project**

Y ☐ N ☒ 3. Do you have a written policy on relaxation assessments?

4. Approximately how many relaxation assessments have you made in the last five years?  
about 1 or 2 per year. Caterpillar Decatur has submitted a project, Jason Schnepf working on project. New paint booth and old paint booth, look at net emission increase.

Y ☐ N ☐ 5. Do you include specific permit limits and conditions to make potential future relaxation possibilities more identifiable?

**?? Inherent in permit condition. "Emission shall not exceed such and such, through put limits shall not exceed such and such... Helps making limitations identifiable. Notifications of deviations.**

6. What is your understanding of the appropriate circumstances under which an existing minor source is allowed a 100/250-tons-per-year emissions increase without triggering relaxation provisions?  
**Consistent w/USEPA policy, i.e., a source that was never a major source or underwent a historic change resulting in minor status. Time period between major-minor-major action is based on the industry. Does not come up too often. In Deck Rockford as an example. Permit for peaking plant, 2 turbines, within 6 months, add a combined cycle +100 tons, keep the 2 projects below 250. Now have 3 simple cycle turbines, did not proceed on project.**

Y ☒ N ☐ 7. Do you provide relaxation evaluation training to NSR permitting staff employees (other than on-the-job training)? If yes, describe the nature of the training provided.  
**Yes. Unit meetings held biweekly.**

#### **J. Circumvention/Aggregation Issues**

Y ☒ N ☐ 1. When you review a modification to determine if it is major for NSR, do you consider aggregating

prior minor emissions increases at the stationary source?

Indeck Rockford as an example. When you looked at the plant, look at the configuration of final.

2. Please provide any criteria you may use to determine if a series of minor modifications or projects needs to be aggregated for NSR applicability purposes?

**Common-sense & USEPA guidance**

Look at the way project developed vs. the intent of the new project. Low sulfur gasoline for Conoco Philips, phase 1 and 2, should not be considered separate projects, overall meant to address new EPA standards for gasoline.

- Y ☒ N ☐
3. When requests are made to permit new or modified emissions units as separate minor changes over time, do you evaluate whether the permitting process is purposely staged as minor when the changes are really one permitting action subject to major NSR?

**Filing system helps. Source files under the same, use tracking system to look at other permit actions by companies. See which permit engineer worked on last action, to maintain consistency of process, use same engineer. Given cost burden of permits now, few sources are willing to circumvent.**

## **II. Prevention of Significant Deterioration (PSD)**

Note: The PSD program implements part C of Title I of the Clean Air Act for new or modified major stationary sources.

### **A. Program Benefits Quantification**

- Y ☒ N ☐
1. In your opinion, is the PSD program an incentive to reduce emissions below major source levels?

**Absolutely**, intent is to maintain air quality.

Other programs are intended to improve air quality. A new source already adds to the air quality issues.

- Y ☐ N ☒
2. In your opinion, have PSD permits been used as the authority to implement other priorities such as toxic emission reductions and improved monitoring

and reporting?

Believes many priorities are part of the PSD program. The PSD permit is going after the major sources, no benefit. The PSD permit, with netting, goes after in a manner that is better than rulemaking. If there is a NESHAP promulgated, they will use that information.

Y ☐ N ☒ 3. In your opinion, does the case-by-case nature of a PSD permit allow you to implement emission reducing programs or controls more quickly than rulemaking?

Y ☐ N ☒ 4. In your opinion, does the PSD program provide communities a mechanism to be involved in improving their own air quality?

Y ☒ N ☐ 5. In your opinion, has the PSD program contributed to sustaining good air quality?

**B. Best Available Control Technology (BACT)**

Y ☒ N ☐ 1. Do you require permit applicants to use the "top-down" method for determining BACT? If no, what approach do you require?

Y ☒ N ☐ 2. Do you commonly use information resources other than the RACT/BACT/LAER Clearinghouse to identify control options, costs, etc.? If yes, what resources do you commonly use and rate the usefulness of each one?

**USEPA publications**

**Material assembled by applicant**

**Other permits (Illinois & otherwise)**

**Including permits in the RBLC and other permits that have gone through review.**

**Have gone to other state's website for non PSD/NSR permits**

Y ☐ N ☒ 3. Do you provide a detailed documentation/explanation of draft BACT determinations in the public record?  
**NO. Need to provide additional information for the public.**

Y ☒ N ☐ 4. In your public record for draft BACT



determinations, do you provide an economic rationale if a BACT option is rejected as being prohibitively expensive?

Prairie State as an example, where coal washing is rejected as economically infeasible.

5. What procedures do you use to calculate baseline emission rates for calculation of cost effectiveness values? What do you view as "uncontrolled" emissions?

**If it is existing, look at past actuals, then see what emissions should be. Per USEPA guidance on baseline on uncontrolled. Check NSR manual for complying with the guidance.**

- Y ☒ N ☐ 6. Do you consider combinations of controls when identifying and ranking BACT options (e.g., low organic solvent coatings plus thermal oxidation)?  
ADM (control train 5-6 units long) scrubbers,  
Quebecore and Brown Printing, low VOC, after burner.

- Y ☒ N ☐ 7. Do you ever re-group the emissions units included in a cost evaluation? For example, if an applicant's approach is to evaluate the cost of controlling each unit separately, do you ever consider combining units for control by one control device? Conversely, if an applicant combines all units for control by one control device and concludes this approach is too expensive, do you ever consider controlling individual units or a small group of units that have the greatest percentage of total emissions?

Wheatland tube, afterburner control system, 1 point or all points.

- Y ☒ N ☐ 8. Do your PSD permits specify emissions limits and control methods consistent with the basis (and capabilities) of the selected BACT options?

9. How do you establish the compliance averaging times for BACT emissions limits?  
**Consistent with "standard" times for equipment type.** It depends on the type of equipment.  
Regulatory agency standard based on testing.

- Y ☒ N ☐ 10. Do you make sure that permit conditions impose restrictions consistent with BACT evaluation assumptions? For example, if the annual emissions used in a BACT cost evaluation are based on an assumption of less than continuous operation and/or operation at less than maximum capacity, do permit conditions contain limits based on the assumption used?  
**Yes, as necessary. BACT limits reflect full capacity of the unit.**

For questions 11-16 regarding BACT cost evaluations:

- Y ☒ N ☐ 11. Do you allow deviation from EPA's recommended cost evaluation procedures? If yes, please explain.  
**Discouraged but case-by-case if can be justified**  
Adjusting interest rates slightly, the results usually

12. Do you place primary reliance on total or incremental cost effectiveness values? If you give greatest (or equal) weight to incremental costs, what is your basis for doing so?  
**Depends on the project. Incremental costs do raise flag on inappropriate technology, possible correction or adjustment to overall costs. Hasn't been the deciding factor in an analysis.**

- Y ☐ N ☒ 13. Do you place primary reliance on a comparative cost approach or a "bright line" test?  
More comparative than bright line. If a similar source has the technology then the source would have to prove economic infeasibility.

- Y ☐ N ☐ 14. If you place greatest importance on a comparative cost approach, do you try to obtain cost data for projects outside your permitting jurisdiction? **The state does not. Question reliability and consistency of data.**

- Y ☐ N ☐ 15. If you use what can be described as a "bright line" test, what is the basis of your "bright line" cost effectiveness value and do you change the value over time to account for inflation? **N/A**
- Y ☐ N ☒ 16. Do you use a different cost approach for different pollutants? If yes, please explain.  
Same costing control judgement, focus on pollutant of greatest concern magnitude, the secondary benefits are a plus. Do not do a specific analysis of each pollutant over the cost of the control device. Judgement criteria may be different.
17. Under what circumstances do you conduct a BACT cost evaluation independent of the cost evaluation provided by the applicant? (An independent evaluation could entail obtaining additional vendor quotes.)  
**Rarely. If needed, "adjust" the source's cost evaluation. Prairie State, IEPA did not use the particular conclusion of evaluation of SO2 control. Factor in different value for tons controlled.**
- Y ☐ N ☒ 18. Are cost estimates required to be referenced to a common baseyear (e.g., 1998) so that cost estimates can be easily compared?  
Use current cost quotes from vendors and suppliers.
- Y ☐ N ☒ 19. Are other agencies contacted to determine if their cost estimates need to be normalized before comparisons can be made?  
Inquire for controls and emission limits, any extenuating circumstances.
- Y ☒ N ☐ 20. Do you perform a BACT assessment for all new/modified emissions units or activities emitting a pollutant subject to PSD review no matter how small the emissions from an affected unit or activity?  
**Level of effort varies.**
- Y ☒ N ☐ 21. Do you consider increases or decreases in corollary toxic/hazardous air pollutants as part of a BACT evaluation? [This question addresses

implementation of EPA's "North County Resource Recovery Remand" memo dated September 22, 1987.]  
If yes, please give a specific example.

Corn Products, CO is a surrogate for hazardous organics. A better CO limit is better for trace organics.  
CO shows the combustion efficiency of the unit.  
Municipal waste incinerator, control SO2 then control HCL and PM.

- Y ☐ N ☒ 22. Do you provide BACT evaluation training to new (or newly-assigned) new source review (NSR) permitting staff (other than on-the-job training)? If yes, describe the nature of the training provided.

**New engineers do not make BACT determinations**

Staff sent to PSD workshop and Region 5 permit training opportunities.

- Y ☒ N ☐ 23. Do you provide BACT evaluation refresher training to experienced NSR permitting staff? If yes, how frequently do you provide this training and what is the nature of the training provided?

**Varies based on availability.**

Infrequent but extensive, year or biyearly training, as available.

- Y ☐ N ☒ 24. Do you provide an information outreach program on BACT evaluations for owners of regulated sources? If yes, how frequently do you provide such information and how do you provide it?

- Y ☐ N ☒ 25. Do you provide an information outreach program on BACT evaluations to the public? If yes, how frequently do you provide such information and how do you provide it?

- Y ☒ N ☐ 26. Do you enter each BACT determination in the RACT/BACT/LAER Clearinghouse?

**When a PSD permit in application, RBLC form is submitted to contact, upon issuance, will upload immediately.**

- Y ☐ N ☐ X 27. Before establishing BACT as work practice, design, or operational standards do you determine that emissions limits (e.g., lbs/mmBTU, lbs/hr) are not feasible? If no, please explain.  
**?? Only if activity normally has quantitative limits.** CO limits, Owens Corning HCFC, best

workpractice requirements, still had lb/hr limits. PM SO2 for turbines, the BACT is burning natural gas. NSPS provision to operate equipment to minimize emissions.

Y ☒ N ☐ 28. Do you apply BACT to fugitive emissions? If no, please explain.

Leak detection on valves to minimize emissions.

### C. Class I Area Protection For PSD Sources

1. How do you determine which proposed projects need a Class I impacts analysis, including consideration of distance of the source from Class I areas (e.g., maximum distance criteria)? Please explain.

**Case-by case.** Anything within 100 km of a Class I area. Prairie State is within 160 km of the Mingo Class I area, but an analysis has been done. Ameren Power repowering with natural gas, FLM did not have further interest.

- Y ☐ N ☐ 2. For new or modified sources within 10 kilometers of Class I areas do you require sources to submit an impact analysis for all pollutants to determine if any have impacts greater than 1 ug/m<sup>3</sup>? **N/A**

- Y ☒ N ☐ 3. Do you require applicants to submit a Class I increment analysis for each pollutant subject to PSD review for which an increment exists? **If applicable.**

- Y ☐ N ☒ 4. Do you require applicants to identify and provide a cumulative impacts analysis (maximum impact within Class I areas) for all Class I areas impacted by the source?

- Y ☐ N ☒ 5. Do you have a formal procedure for notifying Federal Land Managers (FLMs)? If yes, please explain.

- Y ☐ N ☒ 6. Do your permitting procedures require the applicants to notify Federal Land Managers? If yes, please explain.

Y ☒ N ☐ 7. Is there communication, consultation, and discussion between you and FLMs? If yes, to what extent (e.g., high, moderate, minimal).  
Minimal communication. Few sources trigger.

Y ☒ N ☐ 8. Is there communication, consultation, and discussion between the applicant and FLMs? If yes, to what extent (e.g., high, moderate, minimal)?  
Prairie State did contact the FLM. Moderate on applicants.

Y ☒ N ☐ 9. Do you actively seek input from FLMs during the permitting process?

Y ☒ N ☐ 10. Is the applicant required to address potential adverse impacts on air quality related values (AQRVs) that are identified by the FLM during the notification process?  
Addressing adverse impacts on air quality and visibility.

Y ☐ N ☐ 11. Do you require prior approval of Class I area impact analysis procedures that applicants plan to use? **N/A**

Y ☒ N ☐ 12. Do you require applicants to perform a visibility analysis for Class I areas?  
Prairie State is working with Earthtech that is responsible for the Calpuff model maintenance.

Y ☐ N ☒ 13. If a visibility impairment is indicated, do you require the applicant to notify the appropriate FLM for the Class I area?

Y ☐ N ☐ 14. Is the applicant required to address potential effects on scenic vistas associated with Class I areas that may have been identified by the FLM during the notification process?  
**??N/A**

Y ☐ N ☒ 15. Do you have a formal process for handling Class I area increment violations if predicted?

Y ☐ N ☒ 16. Have you issued PSD permits where the FLM

objected? If yes, please explain and identify the projects.

**D. Additional Impacts -Soils, Vegetation, Visibility, Growth**

Y ☐ N ☒ 1. Do your PSD application forms specifically require information regarding additional impacts? If yes, include a copy of the forms.

Y ☒ N ☐ 2. If no, do you require applicants to submit sufficient information necessary to complete an additional impact analysis?

USEPA tools and research.

3. What resources do you use for researching additional impacts?

**USEPA resouces**

Y ☐ N ☒ 4. Do you include environmental justice issues in your analysis?

IEPA does not believe EJ is an additional impact.

Direct/indirect impact on human population.

Y ☐ N ☒ 5. Has an additional impact analysis in the last 5 years been a cause for concern in an issuance of a PSD permit? If yes, please explain.

Y ☒ N ☐ 6. Do you generally allow arguments that the protection of the NAAQS will assure protection of vegetation? If yes, please explain.

**Appropriate for many PSD projects in urban areas and "industrial" agriculture areas. Believe NAAQS fully protect vegetation.**

Y ☒ N ☐ 7. Do you require that predicted short-term impacts (e.g, one hour NOx impacts) be used to assess impacts on vegetation for pollutants which do not have short term ambient standards? If no, please explain.

Y ☐ N ☒ 8. Regarding visibility impacts, do you require assessments for vistas (e.g., parks, airports) near the proposed source or modification? If no, please explain.

Done under cooling towers and obstruction of highways, condensation from towers.

### E. Preconstruction Monitoring

- Y ☐ N ☒ 1. Do you have formal preconstruction monitoring requirements?
- Y ☐ N ☒ 2. Do you have a formal public participation process regarding requirements for preconstruction monitoring for specific proposed projects? Make the decision with the benefit of public notice. Public may comment that there was no preconstruction monitoring. Generally receive few comments on lack of preconstruction monitoring.
- Y ☐ N ☒ 3. Have you ever consulted with FLM regarding preconstruction monitoring requirements for a proposed source or modification?
- Y ☐ N ☒ 4. In the last five years have you ever required an applicant applying for a PSD permit to conduct preconstruction ambient monitoring or meteorological monitoring?
- Y ☐ N ☐ 5. Do you have a formal approval/denial process at the conclusion of preconstruction monitoring?  
**N/A**
- Y ☐ N ☐ 6. Do you have a formal process during preconstruction monitoring for resolving conflicts between the FLM and the applicant? If yes, please explain.  
**N/A**
- Y ☒ N ☐ 7. Do you routinely provide ambient monitoring data in lieu of requiring applicants to perform preconstruction monitoring? If yes, please briefly describe the monitoring network used and the basis for the monitoring value selected.  
**State network**  
**Representative or conservative site** All air monitoring station locations are available on the internet.
- Y ☐ N ☐ 8. Do you follow EPA guidance (e.g., siting, equipment, data validation, audits) regarding collection of preconstruction monitoring data?  
**N/A**
9. Under what circumstances would you require post



construction ambient monitoring as a condition of a PSD permit?

**Case-by-case Diamond Star Mitsubishi Normal plant to install a monitor for ozone post construction monitoring. The monitor was operating for a couple of years. Robbins incinerator had a monitor as a result of a consent decree. Proposed post construction ambient monitoring for Prairie State Generation.**

#### **F. Increment Tracking Procedures**

1. What method do you use to assign baseline dates, e.g., county-specific, region-specific, or entire state?

County specific, each county is listed out.

- Y ☒ N ☐ 2. Do you have a list of the minor source baseline dates for each area? Matt Will in air quality planning maintains list.

- Y ☒ N ☐ 3. Do you have an understanding of receptor location dependence vs. source location dependence for increment tracking?

4. Do you have a formal or informal program for increment tracking?

No program to track. Pragmatic approach by PSD applicant, they have to do spot check on status of increment.

- Y ☒ N ☐ 5. Do you maintain and update a computerized emission source database for increment tracking that includes minor sources that affect increment? If yes, does the database include the information needed for modeling (e.g., source locations, stack parameters, emissions)?

Identify which minor sources affect increment. Use that data in the increment inventory. For the applicant, it is the current inventory, does not include shut down sources that are listed as consuming increment.

6. Do you use allowable or actual emissions for increment tracking purposes? If actual emissions, how do you calculate emissions for each averaging period covered by the increments?

allowable preferred but actual is possible. Do not know, average the annual emissions is possible.

- Y ☐ N ☒ 7. Are area sources included in increment tracking

analyses, e.g., growth-related and transportation-related emissions?

8. How frequently is increment consumption evaluated - on a scheduled basis or just when occasioned by a new permit application?

Each new PSD permit application.

9. How "transparent" (i.e., understandable) is the emission source inventory used for PSD modeling? Could an outside reviewer (such as a member of the public) clearly identify the sources included (e.g., name, location, stack parameters) and the sources excluded in a modeling analysis?

Poor, modeling not set up for those who do not understand to follow the modeling.

10. How do you handle interstate increment tracking (for state reviewing authorities) or interjurisdiction tracking (for local reviewing authorities), including consistency of tracking across jurisdiction boundaries?

Applicants are required to get inventory from adjacent state.

11. What procedure do you follow in planning for and incorporating new modeling tools?

Folded in as they became available. Region provides training as new models come out.

- Y ☐ N ☒ 12. Do you provide increment tracking training to NSR permitting staff (other than on-the-job training)? If yes, describe the nature of the training provided.

None in house.

#### **G. Endangered Species Act (ESA)**

- Y ☐ N ☒ 1. Do you have a PSD program that is fully approved by EPA (i.e., SIP-approved)?

- Y ☒ N ☐ 2. Do you have a fully or partially-delegated PSD program? (Note: ESA obligations apply only when all or portions of a PSD program have been delegated.) If yes, answer questions 3 through 6 below.

- Y ☐ N ☐ 3. Do you notify PSD permit applicants of their ESA

obligations? If so, please provide a copy or description of your notice.

??

Y ☒ N ☐ 4. Do you know the difference between a formal vs. an informal consultation process?

Y ☐ N ☐ 5. Do you advise applicants, concerning their ESA obligations, to consult with a.) EPA; b.) The U.S. Fish and Wildlife Service; and/or c.) Federal Land Manager? If yes, please explain, and describe what information you provide to applicants concerning their ESA obligations.

??

Y ☐ N ☐ 6. Does an ESA consultation affect the timing of your issuance of a proposed or final PSD permit? If yes, please explain. ??

### III. Nonattainment NSR

#### A. Program Benefits

Y ☒ N ☐ 1. In your opinion, is the nonattainment NSR program an incentive to reduce emissions below major source levels?

Y ☐ N ☐ 2. In your opinion, have nonattainment NSR permits been used as the authority to implement other priorities such as toxic emission reduction and improved monitoring and reporting?

**NSR Program = yes**

**NSR Permit = ?? In effort to avoid NSR permit, they accept more stringent limits, record keeping and reporting requirements.**

Y ☐ N ☒ 3. In your opinion, does the case-by-case nature of a nonattainment NSR permit allow you to implement emission reducing programs or controls more quickly than rulemaking?

NSR doesn't reduce emissions. To reduce you need rollback of emissions. NSR reform allows an increase in emissions. NSR avoidance allows us to reduce emissions. Offsets are vague and do not summarily show that the air quality is improving. Can only be done with rulemaking, not through permits.

Y ☐ N ☒ 4. In your opinion, does the nonattainment NSR program provide communities a mechanism to be involved in improving their own air quality?  
Same issue, there is not an improvement in air quality. The community has no control over air quality.

Y ☐ N ☒ 5. In your opinion, have the nonattainment NSR requirements contributed to reducing emissions or avoiding emissions increases in nonattainment areas?

For reducing emissions no there is no contribution, but for avoiding emissions, sources will try to avoid NSR review.

#### **B. NSR Offsets**

Y ☐ N ☒ 1. Do you have an emissions "bank" for offsets? If no, go directly to 10.  
No plans for banking. Companies that need offsets work via other companies through brokers to obtain offsets.

Y ☐ N ☐ 2. Is the bank a database used for emissions trading? Please explain how the trading works.

Y ☐ N ☐ 3. Do you, as the reviewing authority, control the trading of credits in the "bank"? If no, who controls the trading?

Y ☐ N ☐ 4. Are the credits certified "creditable" (including surplus for attainment planning purposes and other Clean Air Act requirements) by you at time of entry into the bank?

Y ☐ N ☐ 5. Are the credits evaluated and certified "creditable" (including currently surplus) at the time of withdrawal and use? If no please explain.

6. How long are the "offsets" valid from time of reduction?

Y ☐ N ☐ 7. Are the banked credits included in the attainment demonstration and inventory as "real emissions" (i.e., emissions being emitted into the air)?

Y ☐ N ☐ 8. Are the banked credits used for NSR offsets only? If no, what are the other uses?

Y ☐ N ☐ 9. Are the banked credits discounted with time? If yes, please explain the discounting procedures.

10. How do you determine that the reductions being used are properly included in the attainment demonstration?

**Case-by-case review - Number of projects does not necessitate more formal process.**

Files available for review to check the authenticity of offsets available.

NOx offset market may be different compared to ozone.

Y ☒ N ☐ 11. Are the emissions reductions available for NSR offsets only allowed from the same nonattainment area as the proposed source or modification? If no, please explain.

**Consistent w/laws and rules.**

12. What procedures do you use to determine the baseline to quantify the reductions? How do you quantify the amount of creditable reduction?

**Case-by-case review**

looking for actual reductions, appropriate time period prior to shut down 2 years consistent with attainment inventories.

Y ☒ N ☐ 13. Are the records for determining actual emissions available for review by you?

Y ☐ N ☒ 14. Are copies of permits required as part of the permit application to determine if the reductions from other sources being proposed as NSR offsets are federally enforceable?

Do not need a copy of a permit to know what is enforceable.

15. How do you verify that the reductions proposed for NSR offsets are "surplus" to other Act requirements and are "real," i.e., reductions in emissions that were actually emitted into the air?

**Case-by-case review**

When reductions are used for RFP, planning group maintains a list of those shutdowns that are used and no longer available. Verify that they were in compliance before the shutdown, otherwise you would adjust the offsets to assure that the offsets were justified.

16. What process do you use to verify that the reductions were not used in a previously issued permit?

### **Case-by-case review**

It is recorded in the issued permit. It is a small enough pool of sources and offsets that the institutional memory of the agency knows which offsets have been used and what is available.

Y ☐ N ☒ 17. Do you allow interpollutant trading for NSR offsets? If yes, please describe this trading procedure (e.g., pollutants allowed, ratio of reductions required, eligibility criteria, etc.).

Y ☒ N ☐ 18. For serious and severe ozone nonattainment areas do you allow "internal offsets" instead of lowest achievable emissions rate (LAER)? What is the offset ratio?

1:3 to 1 offsets ratio.

Y ☐ N ☐ 19. Do you allow credits used for netting to be used as nonattainment NSR offsets?

**?? Hasn't arisen**

For external no longer surplus, based on 18, can be used internally.

Y ☒ N ☐ 20. Do your nonattainment NSR rules require the offset ratios prescribed in the Clean Air Act? If no, please explain what other ratios are used?

Y ☐ N ☒ 21. Do you require that applicants proposing to use NSR offsets include a "net air quality benefit" modeling analysis as part of their permit application? If yes, please describe what information is required.

### **C. LAER Determinations**

Y ☒ N ☐ 1. Do you require permit applicants to use a top-down approach to determine the most stringent control option available for LAER? If no, what approach do you require?

Y ☒ N ☐ 2. Do you require a permit applicant to identify all available control options? If yes, do you require the applicant to identify control options as being:

Y ☐ N ☐ a. Achieved in practice?

**Usually**

Depending on difficulty of obtaining the information.

Y ☐ N ☐ b. Contained within the SIP of any other state or local reviewing authority?  
**Usually**

Y ☐ N ☐ c. Technologically feasible?  
**Usually**

Y ☐ N ☒ d. Cost effective?

Y ☒ N ☐ 3. Do you use information sources other than the RACT/BACT/LAER Clearinghouse to identify control options? If yes, what information sources do you commonly use and rate the usefulness of each?

Same as BACT, publications, other states, literature. See what is going on in California, South Coast air quality region.

4. Please describe under what circumstances you would conduct a LAER analysis independent of the analysis conducted by the permit applicant.

**Case-by-case supplement. Offset printing RR**

**Donnelly, Quebecore. Question of the actual temperature of the thermal oxidizer and oxidizer efficiency.**

Y ☒ N ☐ 5. Do you submit your LAER determinations to the EPA's RACT/BACT/LAER Clearinghouse?

Y ☒ N ☐ 6. Do you consider technology transfer in your LAER determinations? If appropriate, hasn't come up in IL.

7. If you consider cost effectiveness in LAER determinations, please describe the procedures used. (For example, describe the procedures used to calculate the baseline emission rate in the cost effectiveness determination.) For each criteria pollutant, provide the dollar/ton threshold used to determine whether a control option is cost effective (and state whether this is total or incremental cost).

Y ☐ N ☐ 8. Do you use a different cost approach for different pollutants? If yes, please explain.  
**N/A**

Y ☐ N ☒ 9. Do you provide detailed documentation or

explanations of proposed LAER determinations in the technical support document (TSD) or public record?

**Not as good as it could be. Not as detailed as it may be.**

Y ☐ N ☒ 10. Do you provide an economic rationale in the TSD or public record if a LAER option is rejected as being prohibitively expensive?

Y ☒ N ☐ 11. Do you consider combinations of controls when identifying and ranking LAER options?  
Coating operations, VOM content and the coating efficiency.

Y ☒ N ☐ 12. Do you perform a LAER assessment for all new/modified emission units or activities emitting a nonattainment pollutant subject to major NSR review no matter how small the emissions from an affected unit or activity?

Y ☐ N ☒ 13. Does your LAER analysis include "time of" considerations? (For example, if a new or modified source had constructed without a permit and at a later time went through nonattainment NSR review, would you consider LAER at the time of permit issuance or at the time of emission unit construction/ modification?)

Y ☒ N ☐ 14. Do your permits contain conditions requiring specific emission limits/ control method conditions/work practice standards consistent with the basis (and capabilities) of the selected LAER option?

Wheatland Tube as example.

15. Please describe how you establish compliance averaging times for LAER emission limits.  
Consistent with standard practice for that type of operation. Under LAER you would have a shorter averaging period if possible, instantaneous, hourly, daily, VOM coating as an example.

Y ☒ N ☐ 16. Do your permits contain conditions requiring emissions testing, monitoring, recordkeeping, and reporting so that inspectors and enforcement personnel can easily determine compliance with LAER requirements? If no, please explain.

Wheatland tube as example.



Y ☒ N ☐ 17. Do you ensure that permit conditions impose restrictions consistent with the LAER determination? (For example, if emissions used in the LAER determination are based on an assumption of less than continuous operation and/or operation at less than maximum capacity, do permit conditions contain limits or restrictions based on the assumptions used?)

18. Please describe how you incorporate public comments into your LAER determinations.

**Case-by-case**

Usually don't get that concrete comments on LAER determinations.

Y ☐ N ☒ 19. Do you provide LAER evaluation training to new (or newly-assigned) NSR permitting staff other than on-the-job training? If yes, please describe the nature of the training provided.

LAER permits are assigned to more senior permitting staff. It develops from BACT training received.

Y ☒ N ☐ 20. Do you provide LAER evaluation refresher training to experienced NSR permitting staff? If yes, how frequently do you provide this training and what is the nature of the training provided?

**Varies depending on availability**

Indiana training opportunity will also cover LAER.

Y ☐ N ☒ 21. Do you provide an information outreach program on LAER evaluations for owners or operators of regulated sources? If yes, how frequently do you provide such information and how do you provide it?

Most o/o in NAA tend to use consultants in obtaining permits.

Y ☐ N ☒ 22. Do you provide an information outreach program on LAER evaluations to the general public? If yes, how frequently do you provide such information and how do you provide it?

**D. Alternatives Analysis**

Y ☒ N ☐ 1. Does each nonattainment NSR permit action address the alternatives analysis as required by section 173(a)(5) of the Clean Air Act?

Y ☒ N ☐ 2. Is this alternatives analysis a specific

requirement of your nonattainment NSR rules?

- Y ☐ N ☒ 3. Do you have criteria that would address the depth of analysis required for a specific project?
- Y ☐ N ☒ 4. Do you include project-specific environmental justice issues that are raised as part of this analysis?
- Y ☐ N ☒ 5. Do you know of any projects where this analysis resulted in changes to proposed projects? If yes, what changes resulted?

#### **E. Compliance of Other Major Sources in the State**

- Y ☒ N ☐ 1. Do you require the permit applicant to demonstrate that all major stationary sources owned or operated by the applicant in your State are subject to emission limitations and are in compliance, or on a schedule for compliance, with all applicable emission limitations and standards?

Part of application.

2. Please describe - a) the criteria used by an applicant in a statewide compliance demonstration, and b) when in the permitting process you require the applicant to make the statewide compliance demonstration.

Applicants use same criteria as in CAAP Title 5 certification requirements. Either have a compliance schedule, or at the time of draft permit to public notice have a compliance schedule. Indeck as an example. Indeck was getting a revised permit, Indeck Rockford, PM limit was too tight, set a higher limit for condensibles, until IEPA set a higher limit, Indeck was out of compliance.

#### **IV. Minor NSR Programs**

##### **A. NAAQS/INCREMENT Protection**

- Y ☐ N ☒ 1. Do you use modeling to assure that minor sources and minor modifications will not violate the NAAQS?

**Except on special occasion.** Example of VA Hospital when minor source modeling was done. If a public

hearing is requested modeling will be done to address question of potential impacts.

Y ☐ N ☒ 2. As a result of modeling are air quality monitors required for some sources as a permit condition?

Y ☒ N ☐ 3. For the pollutants with PSD increments established do you have a list of areas where the minor source baseline has been triggered?

Y ☐ N ☒ 4. Do you model minor sources for PSD increments if the minor source baseline is triggered?

Y ☐ N ☒ 5. Do you have procedures in place to identify minor sources that consume or expand PSD increment?

6. How does the public access a list of sources that affect PSD increments?

**Good question**

Submit request to air quality planning group. Look at list based on dates and location, not complete though. Things may have been pulled off, not a perfect process, but does provide satisfactory information. Not readily available, but is a special request.

**B. Control Requirements**

Y ☒ N ☐ 1. Does your SIP require any level of control for emissions units not subject to major NSR requirements (e.g., BACT or LAER)? For example, do you have a BACT or similar requirement for minor modifications?

**Specific rules but not "BACT" - like required**

Some states do have state wide BACT, IL does not.

Y ☒ N ☐ 2. Are there any monitoring or reporting requirements for minor sources?

Yes, case by case permit unit specific.

Y ☐ N ☒ 3. Does the application or permitting process require modeling for minor sources?

Except under a public hearing requested.

Y ☒ N ☐ 4. Do you require minor sources with Federally applicable permit limits for MACT, NSPS, or NESHAP to report compliance?

**C. Tracking Synthetic Minor NSR Permits**

- Y ☐ N ☐ 1. Do you have records listing sources permitted as synthetic minors? If yes, how is this list updated?  
**?? General inventory?**
- Y ☐ N ☐ 2. Do you have an established procedure for tracking synthetic minor permits?  
**??**
- Y ☒ N ☐ 3. Do you include "prompt deviation" reporting requirements in synthetic minor source permits? If yes, how do you define "prompt deviation"?
- Y ☐ N ☒ 4. Do permit applications your agency reviews, and permits issued identify the requirements (e.g., PSD, nonattainment NSR, Title V, NESHAP) being avoided by keeping the source minor?

#### IV. Public Participation

##### A. Public Notification

1. What criteria are used to determine if a permit is public noticed?
- Y ☒ N ☐ Are new nonattainment NSR and PSD permits noticed?
- Y ☒ N ☐ Are major modifications noticed?
- Y ☒ N ☐ Are synthetic minor permits noticed? **Per working guidelines**
- Y ☒ N ☐ Are netting permits noticed?
- Y ☒ N ☐ Are minor permits noticed?
- Other? **Controversial**
- Y ☒ N ☐ 2. Do you publish notices on proposed NSR permits in a newspaper of general circulation?
- Y ☐ N ☒ 3. Do you use a state or other publication designed to give general public notice? If yes, please describe.
- Y ☐ N ☒ 4. Do you have procedures for notifying the public when major NSR permit applications are received?
- Y ☒ N ☐ 5. Have you developed a mailing list of interested parties for NSR permit actions [e.g., public officials, concerned environmentalists, citizens]? If yes, how does one get on the list?

- Y ☒ N ☐ 6. Aside from methods described above, do you use other means for public notification? If yes, what are they (e.g., **post notices on your webpage**, email)?
- Y ☒ N ☐ 7. Do your public notices clearly state when the public comment period **~~begins and~~** ends?
8. What is your opinion on the most effective ways to provide public notice?  
**Reach key individuals**  
**Multi-pronged notice**
- Y ☒ N ☐ 9. Do you provide notices in languages besides English?  
**As appropriate**
- Y ☒ N ☐ 10. Have you ever been asked by the public to extend a public comment period? If yes, did you grant the extension? **Yes** If no, please explain?
11. What approximate percentage of your major NSR permits are revised due to public comments?  
**100%**
12. If a draft permit is revised, what criteria do you use to determine if a permit should be re-issued in draft?  
**Critical change by applicant to project**
13. What type of comments or other concerns trigger a public hearing?  
**Comments explicitly requesting a hearing**
14. How are public hearings noticed? How much notice is given?  
**Same as basic notice**
15. What is your process for the public to obtain permit-related information (such as permit applications, draft permits, deviation reports, monitoring reports) especially during the public comment period?  
**Depository & FOIA**
- Y ☒ N ☐ 16. Do you have a website for the public to get permit-related documents? What is available

online? How often is the website updated? Is there information on how the public can be involved?

**USEPA site**

- Y ☐ N ☒ 17. Do you provide training to citizens on public participation or on NSR? If yes, approximately how many training opportunities have been provided in the last five years.

**Assist in USEPA training**

18. How do you notify affected States (including tribes and Canada) of draft permits?

**Letter notice**

- Y ☒ N ☐ 19. Do public notices for PSD permits specifically state the amount of increment consumed?

- Y ☒ N ☐ 20. Are public notices for PSD permits sent to each party identified in 40 CFR 51.166(q)(2)(iv)?

**B. Environmental Justice (EJ)**

Note: By EJ analysis we refer to any procedures applied during the permitting process, regardless of whether they are called EJ, that consider demographics (race, income, nationality, etc.), cumulative effects, (burden, exposure, risk), comparative effects or modifications to the public involvement processes to address unique characteristics of the project.

- Y ☒ N ☐ 1. Do you consider EJ issues during the permitting process? If yes, please provide a description of the criteria, guidelines, or screening procedures used to address EJ issues.

**Case-by-case, based on USEPA guidance, based on the map and criteria for economic/demographics.**

- Y ☒ N ☐ 2. Regarding section 173(a)(5) of the Clean Air Act, do you conduct an alternatives analysis as part of your nonattainment area permitting process? If yes, please provide a description of the EJ criteria or guidelines used for this analysis.

**No relation to EJ yet envisioned. It may not directly be responsive to an EJ concern.**

- Y ☐ N ☐ 3. Regarding section 165(a)(2) of the Clean Air Act,

does your NSR permitting program and public comment process for PSD regulated pollutants provide for consideration of alternatives?

**USEPA should answer. It is not addressed in**

**52.21. It states that people can recommend alternatives analysis to the project. Raised in the Indeck appeal before the EAB.**

4. How are the demographics of the affected community taken into account in the permitting process?

**Case-by-case. An identifying factor.**

**Determination of question, is it or isn't it?**

5. How are cumulative effects and/or pre-existing burden addressed in the permitting process?

**Case-by-case. Haven't done that thorough**

**analysis.**

6. What additional community information and/or demographics (for example - children, the elderly) do you consider important for an EJ analysis?

**Beyond identification as an EJ area, specific demographics have limited relevance to date.**

- Y ☐ N ☒ 7. Do you allow public involvement during an EJ analysis? **Not yet.** If yes,

Few EJ projects to date.

- a. What stakeholder groups do you try to involve?

Waukegan, no full scale cumulative effects analysis. NSSD, where was the population located? The residential area was not within ½ mile of the plant, so no analysis was done.

- b. At what point in the EJ analysis or permitting process do stakeholders become involved?

- c. To what degree and in what manner do stakeholders or the community influence the permit decision making process?

- d. To what degree do you know about how stakeholders or the affected community participated in the permit decision making process?

- e. Describe how you make information available to stakeholders and the affected community. (For example - translation of information, understandable and accessible materials,

personal contacts, clearly explained technical information including potential risk, distribution of information, public meetings, etc.)

- Y ☐ N ☒ 8. In the EJ analysis, do you consider direct and indirect benefits and burdens from the proposed actions? **Not yet.** If yes,

Show that there is not a significant air quality impact.

- a. Describe what benefits you consider in the EJ analysis. (For example - economic, social, cultural, health, environmental, etc.)
- b. Describe what burdens you consider in the EJ analysis. (For example - economic, social, cultural, health, environmental, etc.)

- Y ☒ N ☐ 9. In the EJ analysis, do you consider comparative and disproportionate impacts? **Evolving process**

Don't have that criteria outlined because it is an evolving process.

- a. Describe the criteria or procedures used to determine any potential or actual adverse health or environmental effects or impacts.
- b. Describe the criteria or procedures used to determine whether evidence exists to describe these effects or impacts.
- c. Describe the criteria or procedures used to determine whether the proposed project complies with all applicable environmental laws.

## **V. Program Staffing and Training Issues**

1. What is the total number of staff dedicated to permitting for your NSR program? Please provide an organizational chart.

12 FTE staff (permit writers) on NSR program, 18 total staff in air permit program.

2. For your NSR program please breakdown the staff into the different job functions (e.g., number of modelers, review engineers, technicians,



environmental scientists, clerical, supervisory, enforcement).

Ask Don on clerical. 2 modelers varying depending on workload.

3. Please describe your training program for new and existing staff who work on NSR permitting and issues. List any materials you use or training course you try to attend.

For new staff have training program that relies on USEPA training materials, APTI, courses on control technologies. For existing staff, training as opportunities arise.

4. Describe any additional training that you believe would be beneficial. Would you like for EPA to provide more NSR training?

The more the better, but at the correct opportunity. Weak parts are those that require judgement, such as BACT/LAER determinations, unlike rules from statutes. Practical enforceability in terms of time limits, how to comply with the limits. How to negotiate with applicants, convincing industry on positions.

- Y ☐ N ☒ 6. Do you provide NSR program training opportunities for the public, including the regulated community? If yes, please describe.

**Assist USEPA**

## **VI. General NSR Program Issues**

- Y ☒ N ☐ 1. Do you implement EPA issued program guidance and policy for NSR? In no, please explain.

- Y ☒ N ☐ 2. In general, how do you learn about federal NSR rule changes? Do you use EPA's TTN website at [www.epa.gov/ttn](http://www.epa.gov/ttn) to monitor NSR program changes and implementation issues?

**More USEPA input would be useful**

Are there significant determinations made for other states that the state should be made aware of. Companies with plants in multiple states, if an issue comes up in 1 state, this is how it should be handled in all states.

3. How do you determine if emissions factors (e.g., AP-42) are acceptable for NSR applicability purposes?

They are generally acceptable, if doubts, ask for testing. If it had gone through netting, how does it affect the

contemporaneous increase and decreases to see if the modification was major, gets significant when you get into processes.

4. Please provide any comments, suggestions, or concerns you may have regarding the NSR program. State can write up. When you issue permits, not in business of changing the program.

5. Please provide the number of non-major permits you issued last year, not counting renewals. (Renewals are Title 5). Will follow up with the State on this.

6. How many PSD permits did you issue last year?  
Will have to follow up with the State.

7. How many nonattainment NSR permits did you issue last year? Since 1990?  
Will have to follow up with the State.

8. For PSD permits what is the average time (months) taken by you to issue the permit, starting from the time the application was determined complete? For nonattainment NSR permits?

**"Typical" timing is 9 to 12 months**

**Timing varies greatly project to project**

Dynegy power plant project is 2.5 years old. The company can waive its right, no requirement for PSD/NSR time limits though.

Y ☐ N ☒ 9. Do you have a formal procedure for establishing past permit violations related to NSR requirements?

**General enforcement procedures**

Y ☐ N ☒ 10. Do you have a formal procedure for dealing with "self reported" NSR violations?

**General enforcement procedures**

Y ☐ N ☒ 11. Do you have formal enforcement procedures for dealing with past violations of NSR requirements, including applicable BACT or LAER requirements of major NSR?

**General enforcement procedures**

Y ☒ N ☐ 12. Do you include PM10 condensible emissions in the total amount of PM10 emissions when determining PSD applicability, BACT, PSD increment, and NAAQS?

**As appropriate**

Most people don't worry about condensible PM10, asphalt, grain handling. For coal fired power plants, boilers, turbines, where condensibles are present will have limits and conditions.

- Y ☒ N ☐ 13. When PM10 testing is required do you include a permit condition that requires testing and specifies testing methods for PM10 condensibles?

**If appropriate. If we were worried about condensibles, then they would include it.**

**VII. Effective Construction Permits**

Do your construction permits:

- Y ☒ N ☐ 1. Identify each emissions unit regulated?
- Y ☒ N ☐ 2. Establish emissions standards or other operational limits that must be met, including appropriate averaging times for numeric limits?
- Y ☒ N ☐ 3. Include specific methods for determining compliance and excess emissions, including reporting, record keeping, monitoring, and testing requirements?
- Y ☒ N ☐ 4. Outline procedures necessary to maintain continuous compliance with emission limits?

**Improvement possible here**

What records to make sure control device is working properly, records and procedure for maintenance of control device, for abnormal periods of operations. Understanding the malfunction and CAM concepts for routine permitting. The malfunction is not just under the emergency category, but know if it is or isn't in compliance and the appropriate measures in the permit. The type and size of the facility also impacts the determination.

- Y ☒ N ☐ 5. Establish specific, clear, concise, and enforceable permit conditions?

Have received some feedback from enforcement with conditions. Will work with enforcement on explanation or revise condition to correct omission. Issue arises in non applicability determinations. There may be recordkeeping requirements that go along with non applicability determinations, group 1 and group 2 language in various MACT, more that just the general language. Need clarity in conditions.

Y ☒ N ☐ 6. Include conditions necessary for a source to avoid otherwise applicable requirements (e.g., keeping a modification "minor")?

**As appropriate, to best of ability**

More challenging.

USEPA should get around to addressing revisions of PSD permits. Significant changes, public notice.

Will add a discussion of the fees.

To do list:

- 1) example for 1 A 7
- 2) example on 1 G 2
- 3) ESA
- 4) follow up on number of permits for 5, 6, and 7 under VI.
- 5) opinion on VI. 4
- 6) write up on fee structure.